



Hundredth Legislature - First Session - 2007
Committee Statement
LB 642

Hearing Date: February 6, 2007
Committee On: Education

Introducer(s): (Raikes)
Title: Change educational service units' role and mission provisions

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - Advanced to General File with Amendments
 - X Indefinitely Postponed
-

Vote Results:

8	Yes	Senators Adams, Ashford, Avery, Burling, Howard, Johnson, Kopplin, and Raikes
0	No	
0	Present, not voting	
0	Absent	

Proponents:
Senator Ron Raikes

Representing:
Introducer

Opponents:
Terry Haack
Renee Jacobsen
Steve Shanahan

Representing:
Bennington Public Schools
Cass County School Districts
Washington County Superintendents / Blair
Community Schools
Educational Service Unit #3 / Nebraska Council
of School Administrators
Educational Service Unit #3 / Nebraska
Association of School Boards
Nebraska Association of School Boards
Papillion-LaVista Schools

Gil Kettelhut

Jim Stock

John Bonaiuto
Harlan Metschke

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 642 would merge educational service units (E.S.U.'s) that serve territory within the boundaries of the same city of the metropolitan class. The new E.S.U.'s would be governed by the learning community coordinating council for the city of the metropolitan class and would

serve as the administrator for the learning community. School districts that are members of the E.S.U.'s to be merged, but not members of the learning community, would be transferred to contiguous E.S.U.'s.

A new section would require the State Board of Education to order the merger of E.S.U.'s that have territory within the boundaries of the same city of the metropolitan class and to transfer school district that are members of the E.S.U.'s, but that are not members of the learning community of such city of the metropolitan class, to other E.S.U.'s contiguous to the school districts. The orders would be issued on or before December 31, 2007 and on or before December 31 of each year thereafter. The effective date for the mergers and transfers shall be July 1 following issuance of the orders.

The orders would be required to contain:

1. The transfer of school districts that are not members of the learning community;
2. A plan for the provision of services to school districts affected by the merger and transfers; and
3. A plan for the utilization of existing facilities, equipment, and materials and provision for the disposition of assets and any unbonded indebtedness of affected E.S.U.'s.

Each of the affected educational service units would be required to provide information requested by the Department of Education to complete the plans in a timely manner.

The learning community coordinating council for the city of the metropolitan class would become the board for the merged E.S.U. Members of the boards of E.S.U.'s merged pursuant to this section would serve as board members of the separate E.S.U.'s until the effective date of the merger. The learning community coordinating council would meet with the existing board members in advance to take all necessary action to prepare for operation of the merged E.S.U.

On the effective date of any merger, the county treasurer of each county shall adjust the tax list of each affected E.S.U. so that the uncollected taxes levied would be placed to the credit of the E.S.U. to which the property is a part when collected.

The board of an E.S.U. that is to become reorganized would not be allowed to employ any person for a term greater than six months. Any contract or lease made by such a governing body would be declared to be null and void if it extends for a period greater than six months, unless validated by the learning community coordinating council. No rights of any E.S.U. certificated employees to continued employment pursuant to §§ 79-846 to 79-849 and 79-1234 to 79-1239 or any previously negotiated collective-bargaining agreements would be negated.

All official records of existing E.S.U.'s which are merged would be transferred to the new E.S.U.

Section 79-1201 would be amended by adding the new provisions to the Educational Service Units Act.

Section 79-1202 would be amended by striking the requirement for School District 28-001 of Douglas County to remain Educational Service Unit No. 19.

Section 79-1204 would be amended by adding a requirement for E.S.U.'s to serve as the administrator of any learning community for which the majority of the territory of the learning community is within the boundaries of the E.S.U. and to assist the members of the learning

community in accomplishing the purposes of the learning community. The administration of learning communities would also be added to core services.

Section 79-1215 would be amended by excluding the E.S.U. reorganizations required by this measure from the provisions applying to other E.S.U. reorganizations regarding adjustment of the tax list, employees and contracts, and records.

Section 79-1217 would be amended by exempting E.S.U.'s created by mergers required by this measure from the board provisions that generally apply to most E.S.U.'s. The E.S.U.'s created by mergers required by this measure would be governed by the learning community coordinating council for the city of the metropolitan class with territory within the boundaries of the E.S.U.

Section 79-1232 would be amended by excluding E.S.U.'s governed by learning community coordinating councils from the authorization to provide board members with hospitalization, medical, surgical, accident, sickness, or term life insurance coverage.

Explanation of amendments, if any:

Senator Ron Raikes, Chairperson